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Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Security Council
Seventy-third year

Letter dated 17 April 2018 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to submit for your attention a statement by the Press Service of the Ministry of Foreign Affairs of the Republic of Azerbaijan concerning the destruction, desecration and appropriation of Azerbaijani historical and cultural heritage as a result of the continuing aggression of the Republic of Armenia against the Republic of Azerbaijan (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 35 and 40, and of the Security Council.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative

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Annex to the letter dated 17 April 2018 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

[Original: Russian]

Statement from the Press Service of the Ministry of Foreign Affairs of the Republic of Azerbaijan

27 March 2018

As an integral part of its military occupation policy against Azerbaijan, Armenia is pursuing a systematic policy of vandalism, destruction, theft, appropriation and falsification of tangible cultural assets and religious monuments in our occupied lands. The policy of destruction of the tangible cultural heritage in these lands and in the territory of Armenia that is historically Azerbaijani land is a heinous act not only against the Azerbaijani people but against the whole of humanity.

As reported by the Azerbaijan State News Agency (AZERTAC), the head of the Press Service of the Ministry of Foreign Affairs of Azerbaijan, Hikmet Hajiev, has made a statement expressing our position on a statement made by a representative of the Ministry of Foreign Affairs of Armenia.

Mr. Hajiev noted that, in a media interview, the representative of the Ministry of Foreign Affairs of Armenia had himself indirectly acknowledged the situation and had tried to evade the international responsibility of Armenia as the occupying State. Nonetheless, cases of damage to and theft and destruction of the tangible cultural heritage of the Azerbaijani people by Armenia have been documented in detail.

For example, in our occupied lands Armenia has damaged 738 historical monuments, 28 museums with more than 83,500 exhibits, 4 art galleries, 14 memorial sites and 1,891 tangible cultural heritage sites, including 1,107 cultural institutions. All the aforementioned monuments have been subjected to vandalism. The seventeenth-century mosque complex in Jabrayil district, the Yukhari Govharagha, Ashaghi Govharagha and Saatli Mosques in Shusha, dating from the eighteenth century, and the nineteenth-century Aghdam Mosque have not only been damaged and vandalized but, insultingly, have been turned into cattle sheds. Furthermore, in the city of Shusha, archaeological sites such as the Vagif Mausoleum, the house of Khurshidbanu Natavan and a number of caravanserais have been damaged and pillaged.

Albanian Christian churches in occupied districts including Khojaly, Kelbajar, Lachin and Khojavand, which have nothing to do with the Armenians, have been appropriated; their architectural style has been changed and they are now presented as Armenian monuments. Particular mention should be made of Gandzasar and Khudaveng, Albanian Christian churches located in Kelbajar district that date from the Middle Ages. Since 2003, illegal archaeological excavations have been taking place in the Azokh cave and around Aghdam.

The cultural heritage of the Azerbaijani people in historically Azerbaijani areas in the territory of Armenia has suffered the same fate. The Demirbulag Mosque in Yerevan has been razed to the ground and the Blue Mosque has been "renovated" with a view to changing its original features. The architectural monuments that have been destroyed include the Haji Novruzali bey Mosque in Yerevan, built by Gara Seyid in the second half of the eighteenth century, the Sardar's Palace and the Khan Saray palace complex. The Sardar's Mosque in Yerevan suffered systematic damage before being completely destroyed in 2014.

The Ministry of Culture and Tourism and the Ministry of Foreign Affairs have prepared detailed reports on the destruction by Armenia of Islamic historical and cultural heritage in the occupied territories of Azerbaijan and on the destruction and desecration of the historical and cultural heritage of Azerbaijan resulting from the continued aggression by Armenia against Azerbaijan. These have been submitted to the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations, the Organization for Security and Cooperation in Europe, the Council of Europe, the Organization of Islamic Cooperation, the Islamic Educational, Scientific and Cultural Organization and other international organizations.

As a result, the Organization of Islamic Cooperation regularly adopts resolutions concerning the destruction and desecration of the historical and cultural heritage of the Islamic religion and the destruction of shrines in the occupied territories of Azerbaijan resulting from Armenian aggression. The latest such resolutions were adopted by the Council of Foreign Ministers of the Organization at its sessions held in Kuwait, Uzbekistan and Côte d'Ivoire in 2015, 2016 and 2017 respectively.

The Ministry of Foreign Affairs and the Ministry of Culture and Tourism have repeatedly, at the international level, raised the question of organizing a fact-finding mission to assess the current status of the tangible cultural heritage in our occupied lands. Armenia, which acknowledges responsibility for the heinous acts committed against this heritage, is doing everything possible to prevent such a mission. The Minister for Foreign Affairs of Azerbaijan, Elmar Mammadyarov, during a meeting with the Director General of UNESCO, Audrey Azoulay, at the Organization's headquarters in January this year, once again raised the question of sending a UNESCO fact-finding mission to our occupied territories.

These acts by Armenia constitute a flagrant violation of the Convention for the Protection of Cultural Property in the Event of Armed Conflict (the 1954 Hague Convention) and of the commitments entered into by Armenia under the Second Protocol to the Convention, which was adopted in 1999. Article 9 of the Protocol enshrines the obligation of an occupying Party to prohibit and prevent, in relation to an occupied territory, illicit trade in cultural property or in any samples from archaeological excavations, the export thereof from the territory, and any change to or destruction of particular historical or scientific evidence.

Unlawful acts against cultural property and cultural heritage during armed conflict are considered war crimes under international criminal law. The Republic of Armenia as a State bears direct international legal responsibility for the acts of vandalism committed in the occupied territories.

The Ministry of Foreign Affairs and the Ministry of Culture and Tourism will continue jointly to draw the attention of the international community to the acts of vandalism committed by Armenia in our occupied territories, including against the historical and cultural heritage of the Azerbaijani people in the territory of Armenia.